Criminal Litigation

Code: 42473
ECTS Credits: 9

<table>
<thead>
<tr>
<th>Degree</th>
<th>Type</th>
<th>Year</th>
<th>Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>4313312 Legal Profession</td>
<td>OB</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

Contact

Name: Miriam Cugat Mauri
Email: Miriam.Cugat@uab.cat

Teachers

Joan Baucells Lladós
Miriam Cugat Mauri
Enric Fossas Espadaler
Juan Carlos Gavara de Cara
Fermín Morales Prats
María Jesús García Morales
Jose Riba Ciurana

External teachers

Blanca Ruiz-Zorrilla Cruzate
Elena Contreras
Enric Bertolín Ponsa
Gonzalo Quintero Olivares
Jordi Puigvert Terra
Josep Maria Torras Coll
José Luis Ramírez Ortiz
Marc Pérez Bou
Mercedes de la Peña Oliete
Oriol Rusca Nadal
Pilar López Fondón
Yolanda Rueda Soriano

Use of Languages

Principal working language: spanish (spa)

Prerequisites

No special requirements, except to have a basic knowledge of Criminal and Procedural Law.
Objectives and Contextualisation

To gain specific skills on the subject matter of special interest for the legal practice.

Competences

- Choose the correct strategy for defending clients' rights, while keeping in mind the particular demands of each area within professional practice.
- Communicate and justify conclusions clearly and unambiguously to both specialist and non-specialist audiences.
- Integrate knowledge and use it to make judgements in complex situations, with incomplete information, while keeping in mind social and ethical responsibilities.
- Know the techniques for ascertaining the facts in different types of procedure, especially the production of documents, examination and expert evidence.
- Present facts and their corresponding legal implications orally and in writing, in a way that is appropriate to the context and the addressees and, where necessary, to the established procedures.
- Put into practice the specialist academic knowledge acquired on the degree programme in order to avoid damage, risk or conflict with respect to clients' interests or regarding professional practice before the courts and other authorities and when offering consultancy services.

Learning Outcomes

1. Communicate and justify conclusions clearly and unambiguously to both specialist and non-specialist audiences.
2. Draft statements of accusation and defence at the intermediate stage of criminal proceedings.
3. Draft the various types of appeals against rulings by examining magistrates.
4. Integrate knowledge and use it to make judgements in complex situations, with incomplete information, while keeping in mind social and ethical responsibilities.
5. Know the techniques for defending clients before the police or examining magistrates.
6. Know the techniques of examination.
7. Know the various types of briefs that can be submitted in examining magistrates' courts.
8. Learn factual assessment techniques in the corresponding area of criminal law. Handle case law.
9. Locate, analyse and assess the legislation, case law and scientific doctrine applicable to the case.
10. Present facts and their corresponding legal implications orally and in writing, in a way that is appropriate to the context and the addressees and, where necessary, to the established procedures.
11. Propose the making of inquiries and gathering of evidence in the trial.

Content

I. GENERAL PRINCIPLES AND CONCEPTS ON CRIMINAL LAW

2/10 (02), 8/10 (01)

Fermín Morales Prats

II. INTRODUCTION TO CRIMINAL PROCEDURAL LAW

3/10 (01), 4/10 (02)

Oriol Rusca Nadal

III. EFFECTIVE JUDICIAL PROTECTION

9/10 (02) y 10/10 (01)
IV. INITIATION OF CRIMINAL PROCEEDING AND INVESTIGATION OF THE CRIMINAL OFFENCE
11/10 (02), 15/10 (01)
Marc Pérez Bou

V. PRECAUTIONARY MEASURES
16/10 (02) y 17/10 (01)
Yolanda Rueda Soriano

VI. CONSTITUTIONAL PROTECTIONS DURING THE INVESTIGATION OF THE CRIMINAL OFFENCE
18/10 (02) y 19/10 (01)
Juan Carlos Gavara de Cara

VII. THE INTERMEDIATE PHASE OF THE PROCEDURE
19/10 (02) y 22/10 (01)
José Luis Ramírez Ortiz

VIII. ORAL TRIAL (I): PRELIMINARY DEFENCES
23/10 (02) y 24/10 (01)
Enric Bertolín Ponsa

IX. ORAL TRIAL (II): THE BURDEN OF PROOF AND EVALUATION OF THE EVIDENCE
25/10 (02) y 29/10 (01)
Pilar López Fondón

X. ORAL TRIAL (III): FINAL REPORT AND JUDGEMENT
30/10 (02) y 31/10 (01)
Jordi Puigvert Terra

XI. COURT'S DECISIONS AND JUDICIAL REMEDIES
12/11 (01) y 13/11 (02)
Josep Maria Torras Coll
XII. CASSATION APPEAL
14/11 (01) y 15/11 (02)
Mercedes de la Peña Oliete

XIII. ANNULMENT OF THE PROCEEDINGS AND AMPARO BEFORE THE CONSTITUTIONAL COURT
19/11 (01) y 20/11 (02)
Josu de Miguel Bárcena

XIV. EXECUTION OF SENTENCE AND PAROLE
21/11 (01) y 23/11 (02)
Blanca Ruiz-Zorrilla Cruzate

XV. SPEEDY TRIALS
23/11 (01) y 27/11 (02)
Jordi Puigvert Terra

XVI. PROCEDURE AGAINST MINOR OFFENCES
26/11 (01) y 29/11 (02)
Jordi Puigvert Terra

XVII. THE JURY
28/11 (01) y 30/11 (02)
Carlos Ramos Rubio

XVIII. CIVIL LIABILITY AND CONFISCATION OF GOODS
17/12 (01) y 18/12 (02)
Gonzalo Quintero Olivares

Methodology
The teaching method combines theory and practice.

Activities

<table>
<thead>
<tr>
<th>Title</th>
<th>Hours</th>
<th>ECTS</th>
<th>Learning Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Directed</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Assessment

The teacher will value theoretical knowledge (50%) and practical skills (50%), according to the instructions that will be presented to the student at the beginning of the course.

The student has the possibility of a second retake opportunity of the exam on theoretical contents.

Assessment Activities

<table>
<thead>
<tr>
<th>Title</th>
<th>Weighting</th>
<th>Hours</th>
<th>ECTS</th>
<th>Learning Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>case law and show trials</td>
<td>50%</td>
<td>26</td>
<td>1.04</td>
<td>8, 6, 9, 11, 4, 1, 2, 5, 10</td>
</tr>
<tr>
<td>test</td>
<td>50%</td>
<td>2</td>
<td>0.08</td>
<td>8, 3, 7, 9, 5</td>
</tr>
</tbody>
</table>

Bibliography


GIMENO SENDRA, V., Derecho procesal penal, 2015, Castillo de luna.


www.boe.es

www.fiscal.es

www.poderjudicial.es